



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MGD
F. #2022R00135

*271 Cadman Plaza East
Brooklyn, New York 11201*

December 19, 2023

By ECF

The Honorable Hector Gonzalez
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Kate Spencer and Ziv Biton
Criminal Docket No. 23-145 (HG)

Dear Judge Gonzalez:

The government writes in regard to the change of plea hearings for defendants Kate Spencer and Ziv Biton, currently scheduled for December 20, 2023. As set forth herein, the parties jointly respectfully request that the hearing for defendant Spencer be adjourned to a date suitable to the Court in late February or early March, with the hearing for defendant Biton proceeding on December 20, 2023 as scheduled.

Defendant Spencer has requested that the plea in this matter resolve certain additional tax-related matters applicable to her, and the government has agreed to pursue such a resolution. In order to do so, the prosecution team must consult with the Internal Revenue Service and the Tax Division of the Department of Justice, which will require approximately one to two months to complete. The parties therefore jointly respectfully request that defendant Spencer's plea hearing be postponed in order to accommodate pursuing the additional resolution.

The government respectfully requests that the time between December 20, 2023 and the new date set for the change of plea hearing be excluded from the Speedy Trial Clock as to defendant Spencer so that the parties may pursue the resolution discussed herein. Counsel for the defendants consents to the government's request.

Respectfully submitted,

BREON PEACE
United States Attorney

GLENN S. LEON
Chief
Fraud Section, Criminal Division
United States Department of Justice

By: /s/ Miriam L. Glaser Dauermann
Miriam L. Glaser Dauermann
Acting Assistant Chief
Fraud Section, Criminal Division
United States Department of Justice
(718) 254-7575

cc: Jonathan Goldin, Esq. (counsel for Kate Spencer and Ziv Biton) (by ECF)